

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

CHARLENE E. RUDDE,
Plaintiff,

v.

JO ANNE B. BARNHART,
Commissioner of the
Social Security Administration,
Defendant.

§
§
§
§
§
§
§
§

Civil Action No. 05-CV-632-FHM

ORDER

Upon examination of Defendant's Agreed Motion to Remand, the Court finds that the Commissioner's Motion to Remand (Dkt.14) should be granted. On remand, the Commissioner will continue searching for the hearing tape and, if necessary, hold a de novo hearing if the tape cannot be located.

IT IS ORDERED, ADJUDGED AND DECREED by the Court that this case be reversed and remanded to the Commissioner for further administrative action pursuant to sentence six of §205(g) of the Social Security Act, 42 U.S.C. §405(g). Melkonyan v. Sullivan, 501 U.S. 89 (1991).

THUS DONE AND SIGNED on this 21st day of February, 2006.


FRANK H. MCCARTHY
UNITED STATES MAGISTRATE JUDGE